

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARK COLLINS,

Petitioner,

Case No. 3:20-cv-00147-MMD-WGC

v.

STATE OF NEVADA, *et al.*,

Respondents.

ORDER

11 This is a closed habeas corpus action under 28 U.S.C. § 2254. The Court dismissed
12 this action because it was redundant to *Collins v. Baca*, Case No. 3:20-cv-00066-MMD-
13 WGC, which challenged Petitioner's custody under the same state-court judgment of
14 conviction.

15 Petitioner now has filed a motion for reconsideration (ECF No. 7). He states that
16 *Collins v. Baca* arises from a challenge to the computation of time that he had filed in the
17 First Judicial District Court of the State of Nevada. He also states that the current action
18 is a challenge to the judgment of conviction of the Eighth Judicial District Court of the State
19 of Nevada. Petitioner argues that he thus had two different cases from two different courts.

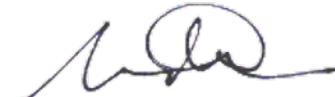
For federal habeas corpus, what matters is the custody under a state-court judgment of conviction. See 28 U.S.C. § 2254(a). Even if he challenged the computation of time in the First Judicial District and challenged the validity of judgment in the Eighth Judicial District, in both federal cases he is challenging his custody under the same state-court judgment of conviction. Petitioner needs to raise all of his grounds for relief in one federal habeas corpus petition. When the Court dismissed this action, it dismissed it without prejudice to *Collins v. Baca*. The Court did not hold that Petitioner may not raise his challenge to the judgment of conviction in any proceeding. Instead, Petitioner may seek leave to raise his constitutional challenges and his computational challenges in an

1 amended petition in *Collins v. Baca*. Consequently, the Court sees no reason to reconsider
2 its dismissal of this action.

3 It therefore is ordered that Petitioner's motion for reconsideration (ECF No. 7) is
4 denied.

5 DATED THIS 31st day of March 2020.

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MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE